

The specification has been amended to correct the numerical Young's modulus, or "modulus of elasticity," numbers in Table B on page 18 of the application. The protocol used to test the flexibility of each tampon applicator barrel is set forth in the specification at page 17, lines 8 through 15. The quantitative test results were set forth in the application in the original Table B on page 18.

The comparison test of the applicator barrels was conducted on an Instron testing device, model no. 1122. The Instron device has computer software (Software series 9, Version 6.05) that calculates the Young's modulus of elasticity from data compiled during each test run. As per the Declaration of Karla Williams, an inventor of the above-identified application, the software has various options for method of calculation. The calculation method used, 19.3, was an "automatic calculation method" in which some dimensions are entered automatically. This method required that the diameter of the tampon applicator barrels be entered. While this calculation method called for "gauge length", which is a second entry of the applicator barrel's diameter, it was assumed that this "automatic calculation method" would automatically insert the proper "gauge length", namely the applicator barrel diameter. Instead, however, the "gauge length" defaulted to a constant of 0.187 inches. A "manual calculation method", 18.3, should have been used that required that the

barrel diameter be entered both as the "diameter" and "gauge length".

As a result of the calculation method used, a default gauge length of 0.187 inches was used to calculate the Young's modulus of each tampon applicator barrel tested, including the known branded tampon applicator barrels and the tampon applicator barrels of the present invention.

Since the actual diameters of the tested tampon applicator barrels varied between about 0.50 inches to about 0.74 inches, each Young's modulus calculated by the Instron Device was approximately one-third of the actual Young's modulus for that tampon applicator barrel. Since the ratio of Young's modulus for the preferred composition applicator barrels to the Young's modulus for the known branded applicator barrels was as expected, the accuracy of the actual numbers calculated was assumed correct.

The corrected Young's modulus may be obtained by using the following conversion equation:

$$\text{Corrected Young's Modulus} = \frac{\text{Previous Young's Modulus}}{0.187} \times \text{Corrected Gauge Length (Diameter of Applicator Barrel)}$$

Thus, Table B, as corrected, should read as follows:

TABLE B: Instron Compression Testing

Tampon applicator barrels having an outside diameter about 0.67 inches +/- .07 inches and a wall thickness about .027 inches +/- .003 inches

| | LOAD lbs. (std. dev.) | YOUNG'S MODULUS psi (std. dev.) | ENERGY lbs.-inch (std. dev.) |
|---|-------------------------------|---------------------------------------|------------------------------------|
| Known Branded Thermoplastic Applicators | 2.22 to 3.59 (0.16) (0.22) | 191.9 to 277.5 (20.4) (28.9) | 0.28 to 0.46 (0.02) (0.03) |
| Preferred Composition Applicator | 1.74 (0.10) | 104.2 (11.8) | 0.22 (0.01) |

Tampon applicator barrels having an outside diameter about 0.56 inches +/- .06 inches and a wall thickness about .027 inches +/- .003 inches

| | LOAD lbs. (std. dev.) | YOUNG'S MODULUS psi (std. dev.) | ENERGY lbs.-inch (std. dev.) |
|---|-------------------------------|---------------------------------------|------------------------------------|
| Known Branded Thermoplastic Applicators | 3.11 to 4.85 (0.28) (0.27) | 239.4 to 474.8 (26.6) (59.3) | 0.40 to 0.62 (0.04) (0.05) |
| Preferred Composition Applicator | 1.96 (0.20) | 113.0 (17.6) | 0.25 (0.03) |

This corrected data supports the present invention as originally filed. The corrected Young's modulus for the applicator barrel of the present invention having a diameter about 0.56 inches is about 113.0, which is at least one-half of the corrected Young's modulus values obtained for the known branded applicator barrels having approximately the same diameter. The corrected Young's modulus for the applicator barrel of the present invention having a diameter of about 0.67 inches is about 104.2, which is also about one-half of the corrected Young's modulus values obtained for the known-branded

applicator barrels having approximately the same diameter. This ratio of corrected Young's modulus for applicator barrels of the present invention to known branded applicator barrels is consistent with the ratio of the corresponding uncorrected Young's modulus for applicator barrels of the present invention and the known branded applicator barrels set forth in original Table B of the application.

It should be understood that the amendments to Table B do not present new matter. Young's modulus is a constant value for any specific material having a certain size. The composition of the preferred composition applicator barrel is set forth in the application at page 15, Table A, and at page 22, as composition D in Table C. Therefore, any person, let alone one of ordinary skill in the art, using the information in the originally filed application and calculating Young's modulus, would obtain the corrected Young's modulus values as now set forth herein. Thus, since the correct Young's modulus for the tampon applicator barrel of the present invention is inherent in the composition that is clearly and definitely disclosed in the application at the pages mentioned above, no new matter is being added by the amendments made to Table B or to the claims.

Page 19, lines 17 through 19, and page 20, lines 11 and 13, of the specification have been amended to reflect the corrected Young's modulus values of amended Table B.

A copy of an executed Declaration of Karla Williams, originally submitted in application Ser. No. 08/547,766, which issued as U.S. Patent No. 5,986,000, and again in copending application Ser. No. 09/075,097, setting forth the facts concerning the unintentional error, discussed above, is attached herewith.

In addition, the specification has been amended to insert matter disclosed in original claims 5, 7, 9, 11, and 13. These amendments to the specification have already been considered and entered in application Ser. No. 08/547,766, which issued as U.S. Patent No. 5,986,000.

In view of the foregoing, applicants respectfully request entry of this preliminary amendment.

Respectfully submitted,



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